

EXHIBIT F

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**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

<p>NEW YORK MICROSCOPE COMPANY, INC.,</p> <p style="text-align: center;"><i>Plaintiff,</i></p> <p>v.</p> <p>BYERS HOLDING GROUP LLC, and USA CAPITAL FUND, LLC d/b/a USA MEDICAL SUPPLY,</p> <p style="text-align: center;"><i>Defendants.</i></p>	<p>Case No.: 23-cv-03718</p> <p>DEFENDANT BYERS HOLDING GROUP LLC’S RESPONSES TO FIRST SET OF INTERROGATORIES SERVED BY PLAINTIFF NYMC</p>
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TO: Thomas J. McGowan, Esquire
Kimberly A. Ahrens, Esquire
MELTZER, LIPPE, GOLDSTEIN & BREITSTONE, LLP
190 Willis Avenue
Mineola, New York 11501
Attorneys for Plaintiff, New York Microscope Company, Inc.

Defendant, Byers Holding Group LLC (“Byers”) hereby objects and responds to the First Set of Interrogatories served by plaintiff New York Microscope Company, Inc. (“NYMC”) in accordance with the Federal and Local Rules.

Dated: April 18, 2025

THE MILUN LAW FIRM, LLC
By: s/ Susan Ferreira
SUSAN FERREIRA

RESPONSE TO FIRST SET OF INTERROGATORIES
DIRECTED TO DEFENDANT BYERS

1. Identify all persons participating in the preparation of answers to these interrogatories and specify which answers or responses each person contributed to.

RESPONSE: Zachary and Edwin Byers.

2. State the name, address, and business telephone number of each person with personal knowledge regarding the facts and circumstances surrounding the happenings of the occurrences referred to in the Amended Complaint and the Byers Counterclaims.

RESPONSE: Zachary and Edwin Byers, Byers Holding Group, LLC, 9881 E. Quarry Trail, Scottsdale, Arizona 85262.

3. Explain how Byers calculated the damages alleged in the Byers Counterclaims, provide a computation of the alleged damages, and identify each document relied upon by Byers to calculate its alleged damages.

RESPONSE: See documents attached hereto.

4. Identify any and all agreements between Byers and USA Medical relating to the purchase and sale of PPE.

RESPONSE: See copy of Buyer Assignment Agreement dated September 29, 2022 and Buyer Assignment Agreement – Addendum dated October 2, 2022.

5. Identify any and all common interest and/or joint defense agreements between Byers and USA Medical as it relates to this Action and the claims in the Complaint.

RESPONSE: Upon the advice of counsel, Byers objects to this request as it seeks information that is subject to the attorney-client privilege and/or attorney work product privilege. In addition, this request seeks information that is not relevant to the claims and defenses in this case and which are not reasonably calculated to lead to the discovery of admissible evidence.

6. Explain in detail the “concerns about pricing and cost allocations” which led to “the contract fell through”, as alleged in paragraph 6 of the Byers Counterclaims.

RESPONSE: Byers objects to this request as improper. NYMC failed to fulfill their end of the contract.

7. Identify all communications by and between USA Medical and Byers relating to this Action and the claims in the Complaint.

RESPONSE: See responsive documents attached hereto.

8. Identify each person whom you expect to call at trial as a fact witness.

RESPONSE: Unknown at this time. Discovery and investigation are ongoing. Byers will amend this response upon completion of further discovery.

CERTIFICATION

I hereby certify that the foregoing answers to interrogatories are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

I hereby certify that the copies of the reports annexed hereto provided by either treating physicians or proposed expert witnesses are exact copies of the entire report or reports provided by them; that the existence of other reports of said doctors or experts are unknown to me, and if such become later known or available, I shall serve them promptly on the propounding party.

Dated: __April 23____, 2025

By: Zachary W Byers
(signature)

Zachary Byers
(printed name)